

**REGULAR COUNCIL MEETING  
MONDAY, FEBRUARY 25, 2019  
COUNCIL CHAMBERS  
[www.lackawannany.gov](http://www.lackawannany.gov)**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Annette Iafallo presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Annette Iafallo.

Meeting called to order

NB: Meeting being recorded

Roll Call: Council: Present: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Dept. Heads: Present: Law, Development, Comptroller, Recreation, Public Works, Recreation

**Approval of Minutes:** of regular meeting of February 4, 2019

Moved by Iafallo seconded by Surdyke to adopt minutes of regular meeting of February 4, 2019 as written

Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Departmental Reports:**

1. **City Comptroller-** A/P Check Listing #28, February 1, 2019
2. **City Comptroller-** A/P Check Listing #29, February 7, 2019
3. **City Comptroller-** A/P Check Listing #30, February 14, 2019
4. **City Comptroller-** A/P Check Listing #31, February 20, 2019
5. **City Treasurer-** Total receipts deposited into General Fund Account for January 2019

Moved by Jaworski seconded by Iafallo to receive and file departmental reports one thru five

Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Communications from the Mayor:**

**Award Bid- Library Window Projects**

6. To: City Council

I respectfully request the City Council award the Lackawanna Library Window Project to Jens Glass Company, Inc. 2903 Lakeview Road, Hamburg, NY 14075 for their bid amount of \$151,500.00.

Thank you for your anticipated cooperation in this matter.

**MAYOR GEOFFREY M. SZYMANSKI**

Moved by Iafallo seconded by Jaworski to approve request

Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Home Rule Message-South Park Avenue**

7. To: City Council

I am asking that the City Council consider passing a home rule message as per Senator Timothy Kennedy’s request. This home rule message is requesting that the State of New York absorb responsibility of US 62/South Park Avenue.

Attached to this are the home rule requests. Assemblyman Patrick Burke has sponsored the South Park bill in the Assembly with Assemblyman Sean Ryan expected to cosponsor.

**MAYOR GEOFFREY M. SZYMANSKI**

Moved by Jaworski seconded by Iafallo to receive and file, act on resolution

Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**7. (A) RESOLUTION #4, 2019**

**WHEREAS**, State Senator Timothy Kennedy and Assemblyman Patrick Burke and Sean Ryan have introduced legislation to designate South Park Avenue as a state highway, attached hereto, and

**WHEREAS**, the legislation introduced is hereby designated as New York State Senate bill S01550 and New York State Assembly bill A05654, and

**WHEREAS**, the City Council deems it in the best interest of the City to support said legislation, and

**WHEREAS**, the City of Lackawanna does not have the power to enact such legislation by local law

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Council hereby approves of and requests the enactment of the aforesaid legislation, and be it further

**RESOLVED**, that the Mayor is hereby authorized to request that the aforesaid legislation be enacted and forward said request to the State Legislature

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY**

Moved by Iafallo seconded by Surdyke to adopt resolution as written

Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Home Rule Message-Ridge Road**

8. To: City Council

I am asking that the City Council consider passing a home rule message as per Senator Timothy Kennedy’s request. This home rule message is requesting that the State of New York absorb responsibility of Ridge Road.

Attached to this are the home rule requests. Assemblyman Patrick Burke has sponsored the Ridge Rd. bill in the Assembly with Assemblyman Sean Ryan expected to cosponsor.

**MAYOR GEOFFREY M. SZYMANSKI**

Moved by Iafallo seconded by Jaworski to receive and file, act on resolution

Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**8. (A) RESOLUTION #5, 2019**

**WHEREAS**, State Senator Timothy Kennedy and Assemblyman Patrick Burke and Sean Ryan have introduced legislation to designate Ridge Road as a state highway, attached hereto, and

**WHEREAS**, the legislation introduced is hereby designated as New York State Senate bill S01548 and New York State Assembly bill A05694, and

**WHEREAS**, the City Council deems it in the best interest of the City to support said legislation, and

**WHEREAS**, the City of Lackawanna does not have the power to enact such legislation by local law

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Council hereby approves of and requests the enactment of the aforesaid legislation, and be it further

**RESOLVED**, that the Mayor is hereby authorized to request that the aforesaid legislation be enacted and forward said request to the State Legislature

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY**

Moved by Iafallo seconded by Surdyke to adopt resolution as written

Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Communications from Department/Division Heads:**

**“Clerk on the Go”-Erie County Outreach Program**

9. To: City Council

Please be advised that my office has teamed up with the Erie County Clerk’s office to offer additional services to the fine residents of Lackawanna and surrounding communities. Please review the attached press release regarding the “Clerk on the Go” outreach program that the City Clerk’s office will be hosting on Thursday, February 28<sup>th</sup> between 10:00 a.m. and 1:00 p.m.

Since becoming City Clerk, I have continually looked at ways to increase efficiency and offer additional services. It is my hope that this trial run will be successful and the outreach program will become a permanent part of additional services that we offer our residents.

Thank you for your attention regarding this matter.

**JEFFREY P. DEPASQUALE-CITY CLERK**

Moved by Iafallo seconded by Schultz to receive and file

Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Tabled Item-Over 90 Days**

10. To: City Council

As per the Council directive on May 20, 1991, all tabled items over the ninety (90) day period and not acted upon, shall be deemed null and void and the Council shall receive and file said communications. As of February 19, 2019, the following communication has been tabled 90-days and is considered null and void and is hereby received and filed:

\*Meeting of 11/19/19-Comm. #5-Council Members Surdyke & Schultz-Dog Park

**JEFFREY P. DEPASQUALE-CITY CLERK**

Moved by Schultz seconded by lafallo to receive and file

Yeas: Ingram, Schultz, Jaworski, Surdyke, lafallo

Carried 5-0

**2017-2018 Budget Transfers**

11. To: City Council

Please approve the attached Budget ordinances for the 2017-2018 fiscal year. These transfers were a result of the annual audit. These transfers are budgetary transfers and do not effect fund balance.

If you have any questions please feel free to contact me.

**CAROLYN A. NICOMETO-COMPTROLLER**

Moved by lafallo seconded by Schultz to receive and file, act on ordinances

Yeas: Ingram, Schultz, Jaworski, Surdyke, lafallo

Carried 5-0

**11. (A) AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE ADOPTED JUNE 7, 2017**

**BE IT ENACTED** by the City Council of the City of Lackawanna, New York as follows:

**SECTION 1.** That the 2017-2018 Budget Ordinance adopted June 7, 2017 is hereby amended to increase appropriations for Transfer to other Funds and decrease Reserve for Workers' Compensation

**SECTION 2.** That the 2017-2018 Budget Ordinance is hereby amended to increase by \$60,000.00 budget code A.9000.9551 Transfers to other Funds

**SECTION 3.** That the 2017-18 Budget Ordinance is hereby amended to decrease by \$60,000.00 budget code A..5990 Appropriated Fund Balance Reserve for Workers' Compensation

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

Moved by lafallo seconded by Surdyke to adopt ordinance as written

Yeas: Ingram, Schultz, Jaworski, Surdyke, lafallo

Carried 5-0

**11. (B) AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE ADOPTED JUNE 7, 2017**

**BE IT ENACTED** by the City Council of the City of Lackawanna, New York as follows:

**SECTION 1.** That the 2017-2018 Budget Ordinance adopted June 7, 2017 is hereby amended to increase appropriations and revenue for Workers' Compensation

**SECTION 2.** That the 2017-2018 Budget Ordinance is hereby amended to increase by \$200,000.00 budget code A.0000.2680 Insurance Reimbursements

**SECTION 3.** That the 2017-18 Budget Ordinance is hereby amended to increase by \$200,000.00 budget code A.9000.9040 Workers' Compensation

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

Moved by Iafallo seconded by Jaworski to adopt ordinance as written  
Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**11. (C) AN ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE ADOPTED JUNE 7, 2017**

**BE IT ENACTED** by the City Council of the City of Lackawanna, New York as follows:

**SECTION 1.** That the 2017-2018 Budget Ordinance adopted June 7, 2017 is hereby amended to transfer funds from Employee Benefit Reserve to Police Personal Services

**SECTION 2.** That the 2017-2018 Budget Ordinance is hereby amended to increase by \$61,630.00 budget code A.312001 Police Personal Services

**SECTION 3.** That the 2017-18 Budget Ordinance is hereby amended to decrease by \$61,630.00 budget code A..5990 Appropriated Fund Balance Employee Benefit Reserve

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

Moved by Jaworski seconded by Schultz to adopt ordinance as written  
Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Purchase Offer-15 Colton Ave.**

12. To: City Council

My office has received an offer from Saddam Naser Algazali in the amount of \$1,000 to purchase the vacant property located at 15 Colton Ave. This parcel currently unbuildable and would be used for parking and extending his yard for use by tenants.

Therefore, it is my recommendation that the City Council **approve** the sale of 15 Colton Ave. to Saddam Naser Algazali in the amount of \$1,000.

For further information, please contact the Assessor's Office.

**FRANK E. KRAKOWSKI-CITY ASSESSOR**

Moved by Schultz seconded by Iafallo to receive and file, act on ordinance  
Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**12. (A) AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE CHAPTER 12**

**BE IT ENACTED** by the City Council of the City of Lackawanna, New York as follows:

**SECTION 1.** That the City Council hereby approves of the transfer of the property known as SBL 142.38-5-8, 15 Colton Ave. parcel of approximately 30 x 114 a vacant parcel, to Saddam Naser Algazali

**SECTION 2.** That transfer is made for the sum of \$1,000 in cash to the City of Lackawanna

**SECTION 3.** That the purchaser/transferee shall be responsible for expenses related to the transfer other than those specifically belonging to the City of Lackawanna

**SECTION 4.** That the Law Department shall prepare documents to be executed for the transfer of the property

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

Moved by Iafallo seconded by Schultz to adopt ordinance as written  
Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Communications from Citizens:**

**2019 St. Patrick's Day Parade and Festivities**

13. To: City Council

The Limestone Hill Friends of St. Patrick are planning the annual St. Patrick's Day Parade and Festivities for St. Patrick's Day, Saturday, March 16, 2019.

The Festivities will include the following:

12:10 PM Special Mass-Our Lady of Victory Basilica

12:45 PM The Annual Shortest St. Patrick's Day Parade

(Parade Route: Our Lady of Victory Basilica to City Hall)

1:00 PM Raising of Irish Flag commemorating St. Patrick's Day

Guest Speakers: City of Lackawanna Mayor and Parade Representatives

1:30 PM Corned Beef and Cabbage Dinners/Sandwiches and Refreshments

Available at Father Baker Council Knights of Columbus and Col. Weber Post #898

On behalf of the many Irish Americans residents and members of the Limestone Hill Friends of St. Patrick, we respectfully request permission for:

PARADE PERMIT

RAISE IRISH FLAG NEXT TO THE CITY'S AMERICAN FLAG FOR THE DAY

A PODIUM FOR SPEAKERS NEAR FLAG RISING

Thank you in advance for your consideration.

**MICHAEL J. CUSACK/THOMAS MCGOWAN-CO-CHAIRMAN**

Moved by Iafallo seconded by Schultz to approve request  
Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Commissioner of Deeds Status**

14. To: City Council

Please put this matter on your agenda at the next Council Meeting.

I am requesting a Commissioner of Deeds appointment for Debora A. Winkowski, residing at 166 Barbados Dr., Cheektowaga, New York, 14227. Debora is an employee of mine.

Thank you for your assistance in this matter.

**ANTONIO SAVAGLIO, ESQ.**

Moved by Iafallo seconded by Jaworski to approve request  
Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Historical Marker Honoring Seneca Nations of Indians**

15. To: City Council

My name is James Gibbons. I am a Life Scout with Troop 416, Queen of Heaven West Seneca, NY.

On Wed, Feb 13<sup>th</sup> I had a meeting with the City of Lackawanna Mayor Mr. Szymanski and a representative from the Lackawanna Library to discuss my Eagle Scout Project. Mr. Szymanski requested that I make it an agenda item for the next City of Lackawanna council meeting. The following is the agenda item:

My Eagle Scout project is to erect a historical marker honoring Seneca Nation of Indians, Chief Old Smoke. He last resided in Smoke Creek Village within Buffalo Creek Indian Reservation. Smoke Creek Village and Smoke Creek are both named in his honor. The beneficiary of the historical marker will be the City of Lackawanna. The historical marker will be located on the Madison Ave center island adjacent to Route 5. I request the assistance of the City of Lackawanna Highway Department for its installation. Funding for the marker will be provided through donations by family and friends. I am asking for your support to make this project possible.

**JAMES A. GIBBONS-BST 0416 LIFE SCOUT**

Moved by Iafallo seconded by Surdyke to approve and change location to erect the marker at firehouse #3  
Yeas: Ingram, Shultz, Jaworski, Surdyke, Iafallo Carried 5-0

**Lackawanna City School-Election**

16. To: City Council

On behalf of the Lackawanna Board of Education, I am asking to use the Bocce Court and also a room in the Senior Citizen's Center for our upcoming May 21<sup>st</sup>, 2019 Budget Vote and Election.

The Election will be held on Tuesday, May 21<sup>st</sup>, 2019, between the hours of 12:00 P.M. and 9:00 P.M. Inspectors would need access to said buildings at 11:30 A.M. on that day.

The School District will pay \$100.00 for the use of the space. I will confirm a date and time of delivery and pickup of voting machines of approved as the date approaches.

Due to the election timeline, please confirm as soon as possible. I thank you in advance for your cooperation.

**AMBER ILLG-BOARD CLERK**

Moved by Iafallo seconded by Jaworski to approve request, refer to DPW Commissioner

Yeas: Jaworski, Surdyke, Iafallo

Nays: Ingram, Schultz

Carried 3-2

**Business Registration:**

**Henry Pena-PHP Wireless DBA Boost Cell Phone Retail Store-2723 South Park Ave.**

Moved by Iafallo seconded by Schultz to approve request

Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Entertainment Licenses:**

**Ice House Pub- 715 Ridge Rd.-outdoor entertainment-2 PM – 6 PM Saturday-May 18<sup>th</sup>, 2019**

Moved by Iafallo seconded by Schultz to approve request for outdoor entertainment from 2 PM – 6 PM on May 18<sup>th</sup>, 2019

Yeas: Ingram, Schultz, Jaworski, Surdyke, Iafallo

Carried 5-0

**Class I: Live Music and/or Mechanical Reproduction:**

Matthew Glab Post #1477-1965 Abbott Road  
Col. John B. Weber Post VFW #898-2909 South Park Avenue  
Ice House Pub-715 Ridge Road  
Lake Erie Co-op Society-3200 South Park Avenue  
Steel City Pub-1449 Abbott Road  
Winfields Pub-1213 Ridge Road  
Sonny Reds-1841 Abbott Road  
Curley's Grill-647 Ridge Road

Moved by lafallo seconded by Surdyke to approve entertainment licenses  
Yeas: Ingram, Schultz, Jaworski, Surdyke, lafallo

Carried 5-0

**Adjournment:**

Moved by lafallo seconded by Ingham meeting adjourned  
Yeas: Ingram, Schultz, Jaworski, Surdyke, lafallo

Carried 5-0

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Annette lafallo-Council President

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Jeffrey P. DePasquale- City Clerk